



House of Representatives

General Assembly

File No. 452

January Session, 2013

House Bill No. 5335

House of Representatives, April 11, 2013

The Committee on Environment reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT PROHIBITING THE POSSESSION AND STORAGE OF FRACKING BY-PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
2 section:

3 (1) "Hydraulic fracturing" means the process of pumping a fluid into
4 or under the surface of the ground in order to create fractures in rock
5 for the purpose of the production or recovery of oil or gas.

6 (2) "Waste by-product" means any material that is produced or
7 generated as the result of conducting hydraulic fracturing, including,
8 but not limited to, waste water, drilling mud, hydraulic oil, diesel fuel,
9 drilling mud additives, hydraulic fracturing additives and hydraulic
10 fracturing flowback.

11 (b) No person shall possess or store any waste by-product of
12 hydraulic fracturing.

13 (c) The Commissioner of Energy and Environmental Protection may
14 enforce the provisions of this section pursuant to chapter 439 of the
15 general statutes.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	New section
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ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill bans possessing or storing fracking waste by-product. As there is currently no fracking waste in the state, there is no fiscal impact anticipated.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**HB 5335*****AN ACT PROHIBITING THE POSSESSION AND STORAGE OF FRACKING BY-PRODUCTS.*****SUMMARY:**

This bill bans possessing or storing any waste by-product of hydraulic fracturing (i.e., fracking). It authorizes the energy and environmental protection (DEEP) commissioner to enforce the ban under his general powers, which include issuing cease and desist orders.

The bill defines (1) “hydraulic fracturing” as the process of pumping fluid into or under the ground to fracture rock to produce or recover oil or gas and (2) “waste by-product” as any material produced or generated from hydraulic fracturing, including waste water, drilling mud, hydraulic oil, diesel fuel, additives, and flowback.

EFFECTIVE DATE: Upon passage

BACKGROUND***Related Bill***

sHB 6533, favorably reported by the Energy and Technology Committee, bans until July 1, 2014 (1) treating, discharging, disposing, or storing fracking waste; (2) using fracking waste to manufacture anything; and (3) selling anything with fracking waste in it. It allows the DEEP commissioner to adopt regulations on the fracking waste ban and requires DEEP to issue a report on fracking waste by February 1, 2014.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 20 Nay 8 (03/27/2013)